

**In the Claims:**

This listing of claims replaces all prior versions, and listings, of claims in the application.

1. (previously presented): A flame-retardant polyester fiber comprising a phosphorus compound copolymerized polyester comprising a phosphorous atom in a side chain and satisfying the following formulas (1)-(3):

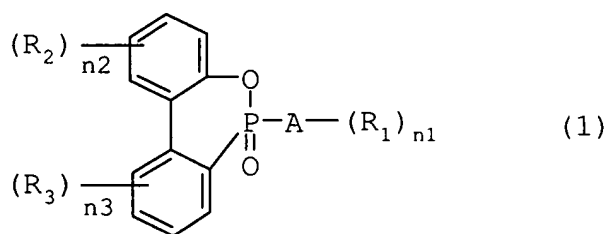
$$\tan \delta_{\max} \geq 0.1740 \quad (\text{formula 1})$$

$$T\alpha - 3.77 \times \ln(\text{dtpf}) \leq 137.0 \quad (\text{formula 2})$$

$$1.331 \leq \text{SG} - \frac{\sqrt{\Delta n}}{8.64} \leq 1.345 \quad (\text{formula 3})$$

wherein  $\tan \delta_{\max}$  is a maximum value of loss tangent in a dynamic viscoelasticity measurement,  $T\alpha$  is a temperature at which loss tangent reaches the maximum, dtpf is single fiber fineness (dtex), SG is density ( $\text{g/cm}^3$ ),  $\Delta n$  is birefringence and wherein the flame-retardant polyester fiber is produced by melt-spinning at a take-up speed of 1000 m/min - 4500 m/min, has a phosphorous content of 500-50,000 ppm and has a shrinkage in hot water (SHW) of not more than 10%.

2. (original): The flame-retardant polyester fiber of claim 1, which comprises a copolymerized polyester obtained by adding a phosphorus compound of the following formula (1):



wherein  $R_1$  is a monovalent ester-forming functional group,  $R_2$  and  $R_3$  are the same or different and each is selected from a halogen atom, a hydrocarbon group having 1 to 10 carbon atoms and  $R_1$ , A is a divalent or trivalent organic residue,  $n_1$  is 1 or 2 and  $n_2$  and  $n_3$  are each an integer of 0 to 4.

3. (original): The flame-retardant polyester fiber of claim 1, which is characterized by not less than 6500 times up to an occurrence of cutting by abrasion under a load of 0.098 N/tex in a yarn abrasion test.

4. (original): The flame-retardant polyester fiber of claim 1, which shows a tensile elongation at break (DE) of 20-50%.

5. (canceled):

6. (original): The flame-retardant polyester fiber of claim 1, which satisfies the following formula 4, wherein a L value is not less than 67 and a b value is not more than 10.00 as measured with a Hunter's color-difference meter:

$$\%B.B. < 0.5 \text{ (formula 4)}$$

wherein %B.B. is a proportion of ester bond broken upon immersion in a closed system in pure water at 130°C for 6 h, which can be determined by the following formula (5) wherein an intrinsic viscosity before immersion is  $[\eta]_i$  and that after immersion is  $[\eta]_f$ , and the intrinsic viscosity is determined in a mixed solvent of phenol/1,1,2,2-tetrachloroethane (weight ratio 3/2) at 30°C:

$$\%B.B. = 0.244 \times \{[\eta]_f^{-1.471} - [\eta]_i^{-1.471}\} \text{ (formula 5).}$$

7. (original): The flame-retardant polyester fiber of claim 1, wherein the phosphorus compound copolymerized polyester comprises an organic fluorescent brightener in a proportion of 0.01-1 wt% and, as a condensation polymerization catalyst, an antimony compound, a germanium compound and a cobalt compound in amounts that simultaneously satisfy the following formulas (6)-(9):

$$30 \leq S \leq 400 \quad \text{(formula 6)}$$

$$10 \leq G \leq 100 \quad \text{(formula 7)}$$

$$5 \leq C \leq 40 \quad \text{(formula 8)}$$

$$200 \leq S+2G+C \leq 400 \quad \text{(formula 9)}$$

wherein S, G and C are each a content (ppm) of an antimony atom, germanium atom or cobalt atom relative to the polyester.

8. (previously presented): A flame-retardant polyester woven or knitted fabric comprising the flame-retardant polyester fiber of claim 1 at least in a part thereof.

9. (previously presented): A suede raised woven or knitted fabric, which is a raised woven, knitted fabric comprising the flame-retardant polyester woven or knitted of claim 8 that underwent a raising treatment, and which shows a coefficient of friction of a surface of the woven, knitted fabric by a surface tester KES-FB4 of 0.200-0.300.

10. (previously presented): A flame-retardant polyester raised warp knitted fabric, which is a raised woven or knitted fabric comprising the flame-retardant polyester woven or knitted of claim 8 that underwent a raising treatment, and which shows an after-flame time of not more than 3 sec as measured by the following test method:

a flame of a lighter is drawn up to a bottom end of a specimen (1.5 cm × 20 cm) stood vertically and the flame is drawn back when the specimen is inflamed, along with which the after-flame time of the specimen is measured.

11. (original): A flame-retardant polyester non-woven fabric comprising the flame-retardant polyester fiber of claim 1 at least in a part thereof.

Please add new claim 12:

12. (new): The flame-retardant polyester fiber of claim 1, wherein the fiber is obtained by drawing, after melt spinning, at a draw ratio of not more than 2.88 and at a setting temperature of not less than 150°C.